

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- x
IN RE TREMONT SECURITIES LAW, STATE Master File No.
LAW AND INSURANCE LITIGATION : 08 Civ. 11117 (TPG)

This Document Relates to: :

INSURANCE ACTION, 09 Civ. 557 (TPG), :
and specifically to: :
:
F. DANIEL PRICKETT, :
:
Plaintiff, : 09 Civ. 3137 (TPG)
:
- against - : ECF CASE
:
NEW YORK LIFE INSURANCE COMPANY, : **DECLARATION OF**
et al., : **JASON C. VIGNA**
:
Defendants. :
----- x

I, JASON C. VIGNA, declare pursuant to 28 U.S.C. § 1746 as follows:

1. I am a member of the bar of this Court and am associated with the firm of Skadden, Arps, Slate, Meagher & Flom LLP, attorneys for defendants Tremont Group Holdings, Inc., Tremont Partners, Inc., Tremont (Bermuda) Limited, Tremont Capital Management, Inc. and Rye Investment Management (collectively, the "Tremont Defendants") in this action.

2. I submit this Declaration in support of the Tremont Defendants' motion to dismiss the amended complaint (the "Motion") and to place before the Court true and correct copies of the following documents referenced in the accompanying memorandum of law in support of the Motion:

- | Exhibit | Document |
|---------|---|
| A. | American Masters Opportunity Insurance Fund, L.P. Amended and Restated Confidential Private Placement Memorandum, dated July 1, 2003. |
| B. | Tremont Opportunity Fund III, L.P. Second Amended and Restated Limited Partnership Agreement, dated August 1, 2008. |
| C. | <u>NECA-IBEW Pension Trust Fund v. Bank of America Corp.</u> , 10 Civ. 440 (LAK) (HBP), slip op. (S.D.N.Y. Feb. 9, 2012). |

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 1st day of March, 2012, in New York, New York.



Jason C. Vigna